

Customer No. 24498
Attorney Docket No.: PA040025
Office Action Dated: 02/12/2010

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Remarks and Arguments

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Claims 1 – 6 and 8 – 13 are pending. Claims 1 and 8 have been amended to more clearly and distinctly claim the subject matter that Applicants regard as their invention. No new matter is believed to be added by the present amendment.

Rejection of claims 1-2 and 5-6, 8-9, and 12-13 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,412,798 issued to Garney (hereinafter referred to as "Garney").

Claims 1 – 2 and 5 – 6, 8-9, and 12-13 are rejected under 35 U.S.C. §102(b) as being anticipated by Garney. Applicants respectfully traverse this rejection for at least the following reasons.

Amended claim 1 recites the following:

Method for determining a current status of a removable media device loaded with at least one removable medium associated with a characteristic feature, and being connected to a device for reading and/or writing AV storage media, comprising the steps of:

checking a type of user input upon occurrence of user input, wherein the user input is not generated by insertion or removal of the removable media device;

keeping the current status of the removable media device if the type of user input is not related to the removable media device;

checking whether a characteristic feature of the removable medium has changed, if the type of user input is related to the removable media device;

keeping the current status if the characteristic feature of the removable medium has not changed; and

updating the current status if the characteristic feature of the removable medium has changed (emphasis added).

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The Examiner contends that Garney recites the user input at col. 13, line 57, which is as follows:

"Card event service routine 1101 is activated when a hardware event is detected by the computer system upon the insertion or removal of a feature card in any socket provided by the computer system."

The Examiner contends in the Final Office Action on page 12 that "*the insertion or removal of a 'feature card', as discussed supra, is a type of user input as it requires the user to input the 'feature card' in the card reading device.*" The Examiner is considering the feature card as the removable media device and the removable medium as the driver code on the feature card.

Amended claim 1 now recites that the user input is not generated by the insertion or removal of the removable media device. Since the Examiner contends that the insertion or removal of the feature card is user input, the user input of amended claim 1 is not recited in Garney.

The Examiner contends that the recited step of "*keeping the current status of the removable media device if the type of user input is not related to the removable media device*" is recited in Garney in column 14 line 35: "*if the hardware event causing the activation of card event service routine 1101, is neither a card insertion event nor a card removal event, processing path 1113 is taken to processing block 1117 where the unidentified event is recorded. Processing then terminates at bubble 1131.*" Applicants respectfully disagree.

In the above-referenced keeping step of amended claim 1, the current status is kept, that is, no further processing is performed when the user input type is not related to the removable media device. By contrast, in Garney, the unidentified event is recorded. This requires further processing which is not recited in amended claim 1. These actions are clearly different, and as such, this step is not recited in Garney.

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The Examiner contends that the recited step of "checking whether a characteristic feature of the at least one removable medium has changed, if the type of user input is related to the removable media device" is recited in Garney in column 14, line 58: "Decision block 809 tests whether or not the device driver stub for the newly installed card still resides in the computer system RAM based on the device driver stub unique identification." Applicant respectfully disagrees. As noted above, the user input of amended claim 1 is not generated by the installation of the feature card. The Examiner cites the installation of the feature card as user input. As such, this step is not recited in Garney.

Accordingly, amended claim 1 is not anticipated by Garney. The remaining independent claim 8 recites the above-referenced features, and is believed to be patentably distinguishable over the cited reference for the same reasons as discussed with respect to amended claim 1. Furthermore, dependent claims 2 - 6 and 9 – 13 recite the features of their respective independent claims and are not anticipated by Gamey for the aforementioned reasons.

Rejection of claims 3 and 10 under 35 U.S.C. §103(a) as being unpatentable over Garney and further in view of Yamauchi et al (US Patent 5,661,823).

Claims 3 and 10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Garney in view of Yamauchi. Applicants respectfully traverse this rejection since Yamauchi is unable to remedy the deficiencies of Garney explained above in conjunction with amended claim 1. Accordingly, withdrawal of the rejection is respectfully requested.

Rejection of claims 4 and 11 under 35 U.S.C. §103(a) as being unpatentable over Garney and further in view of Edmondson (US Patent 3,619,585).

Claims 4 and 11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Garney in view of Edmondson. Applicants respectfully traverse this rejection since Edmondson is unable to remedy the deficiencies of Garney explained above in conjunction with amended claim 1. Accordingly, withdrawal of the rejection is respectfully requested.

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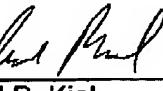
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Conclusion

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited.

It is believed that there are no additional fees due with regard to the filing of this response other than the one month extension of time. However if there is an additional fee due, please charge the fee, or credit any overpayment, to Deposit Account No. 07-0832.

Respectfully submitted,

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